

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

THOMAS T. BOULDIN, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 5:15-03830

MOUNTAIN VALLEY PIPELINE, LLC,

Defendant.

MEMORANDUM OPINION AND ORDER

Pending before the court are plaintiffs' motion to remand, (Doc. No. 6), and motion for expedited consideration of plaintiffs' motion to remand. (Doc. No. 8). In reliance on the court's memorandum opinion and order entered this day in McCurdy et al. v. Mountain Valley Pipeline, LLC, Civil Action No. 1:15-cv-03833, plaintiffs' motion to remand is **GRANTED**.

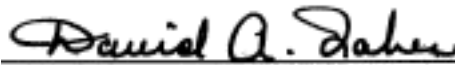
While the facts in this case are slightly different--the required environmental surveys include the Virginia Spiraea, Shale Barren Rock Cress, and Running Buffalo Clover, (Doc. No. 9 at 2), the analysis is the same. Defendant's affidavits, virtually identical to those provided in McCurdy et al., do not demonstrate that the amount in controversy requirement for federal jurisdiction is satisfied. Instead, the evidence presented is too speculative to support federal jurisdiction. Accordingly, plaintiffs' motion to remand, (Doc. No. 6), is **GRANTED** and plaintiffs' motion for expedited consideration is

DENIED as moot. It is **ORDERED** that this action be remanded for all further proceedings to the Circuit Court for Summers County.

The Clerk is directed to send copies of this Order to counsel of record and a certified copy to the Clerk of Court for the Circuit Court of Summers County.

IT IS SO ORDERED this 23rd day of July, 2015.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge